

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20995 7590 11/18/2004

**Knobbe Martens Olson & Bear LLP**  
**2040 MAIN STREET**  
**FOURTEENTH FLOOR**  
**IRVINE, CA 92614**

02/24/2005 SSITH1B2 00000035 09882434

01 FC:1501 1400.00 OP  
 02 FC:1504 300.00 OP  
 03 FC:8001 30.00 OP



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## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Jennifer A. Haynes	(Depositor's name)
<i>Jennifer A. Haynes</i>	(Signature)
Feb. 17, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,434	06/15/2001	John Michael Mannes	CULLN18.1CPICI	8852

**TITLE OF INVENTION:** DNA ENCODING A MACADAMIA INTEGRIFOLIA ANTI-MICROBIAL PROTEIN, CONSTRUCTS COMPRISING THE SAME AND PLANT MATERIAL COMPRISING THE ~~CONSTRUCTS~~ **CONSTRUCTS**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$300	\$1670	02/18/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
KUBELIK, ANNE R	1638	800-279000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 Knobbe Martens  
 2 Olson and Bear, LLP  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

*\* Please see attached for Assignee information*

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☒ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 11-1410 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

*Jennifer A. Haynes*

Date

Feb. 17, 2005

Typed or printed name

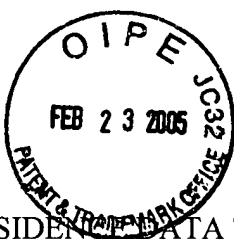
Jennifer A. Haynes

Registration No.

48,868

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Serial No.: 09/882,434

Filed: June 15, 2001

3. ASSIGNEE NAME AND RESIDENTIAL DATA TO BE PRINTED ON PATENT

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Commonwealth Scientific and Industrial  
Research Organisation

Campbell, Australia

The State of Queensland, Department of  
Primary Industries

Brisbane, Australia

The University of Queensland

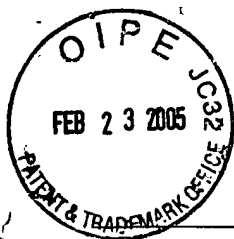
St, Lucia, Australia

Bureau of Sugar Experiments Stations

Indooroopilly, Australia

Queensland University of Technology

Brisbane, Australia



**PATENT**

Case Docket No. CULLN18.1CP1C1  
Date: February 17, 2005

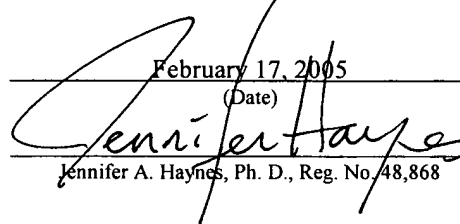
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Manners et al.  
Appl. No. : 09/882,434  
Filed : June 15, 2001  
For : DNA ENCODING A  
MACADAMIA INTEGRIFOLIA  
ANTI-MICROBIAL PROTEIN,  
CONSTRUCTS COMPRISING  
THE SAME AND PLANT  
MATERIAL COMPRISING THE  
CONSTRUCTS  
Group Art Unit : 1638  
Class/Sub-Class : 800/279000  
Examiner : Kubelik, Anne R.

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 17, 2005

(Date)

  
Jennifer A. Haynes, Ph. D., Reg. No. 48,868

**TRANSMITTAL LETTER**

**MAIL STOP ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85 and attachment.
- (X) A check in the amount of \$1730 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) Please correct the title to read as follows, as indicated on the red-lined version of form PTOL-85 submitted herewith:

DNA ENCODING A MACADAMIA INTEGRIFOLIA ANTI-MICROBIAL PROTEIN,  
CONSTRUCTS COMPRISING THE SAME AND PLANT MATERIAL COMPRISING  
THE CONSTRUCTS

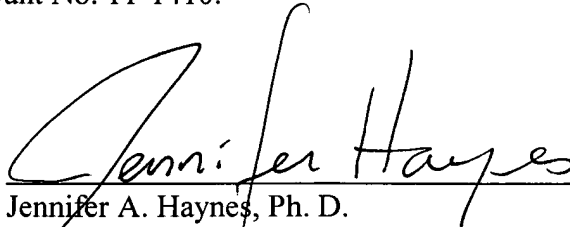
**PATENT**

Case Docket No. CULLN18.1CP1C1

Date: February 17, 2005

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- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

A handwritten signature in black ink, reading "Jennifer Haynes", written over a horizontal line.

Jennifer A. Haynes, Ph. D.

Registration No. 48,868

Agent of Record

Customer No. 20,995

(415) 954-4114

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